THE M'FARLAND TRIAL.

Opening Speech of Counsel for the Defence.

Graphic History of the Wooing of Mc-Farland and His Marriage.

THE FIRST TRACE OF THE TEMPTER.

The Intercepted Letter from Richardson to Mrs. McFarland and the Elopement.

Benediction Frothingham's Anathematized.

TESTIMONY FOR THE DEFENCE.

Hereditary Taint of Insanity

Long before the hour fixed for the opening of the Court of General Sessions yesterday morning a crowd of probably two thousand persons had con gregated in and about the old brown stone building in which the trial of McFarland is being held.

THE WOMEN OUT IN FORCE.

A large number of respectably dressed females were among the most clamorous for admittance; and several of them, who did all that their persuasive powers could do to induce the officers to let them in, had little babes in their arms.

THE ROUGH AND SCOM.

The rough and tumble crowd of court loungers were also out in considerable strength, and the atmosphere in the hallways was heavily laden with the deligniful odor of Fourth ward whiskey and ses, as a most odoriferous matter of course. This portion of the noisy would-be spectators, however, did not seem to have much influence with the court officers, and but very few of them succeeded in squeezing their precious carcasses into

But three of the women who strove to slip in with the crowd were allowed to enter, and the Washington pardon broker was one of them. The mysterious woman yesterday spoken of in the HERALD in the ladies' box, was a young lady attired in deep during the proceedings. She turned out to be one of the witnesses for the defence, and die not appear to relish her surroundings in the least. M'FARLAND ON TIME.

Mr. McFarland, with his little son Percy, was ong the first persons to arrive. He appeared to be in excellent spirits and conversed with several of his friends as though he had not the slightest interest one way or the other in the issues of the

HOW THE AUDIENCE ACTED.

During the opening of the counsel for the defence the utmost silence prevailed, and everybody seemed anxious to hear every word that dropped from his lips. In speaking of the letter addressed by Richardson to Mrs. McFarland in March, 1867, only about a month after she had lett her husband, and in which he called her his darling, for whom he had been "waiting wearlly for long,long years," he vehemently exclaimed that he loved his wife, and if he found such letter as Richardson's addressed to her he would, mad or sane, kill him at sight whenever and where ever he should meet him. The words had scarcely en uttered before the audience broke out with lone demonstrations of applause, which the Court found it aimcult to suppress.

RICHARDSON'S "DARLING" LETTER.

The reading of the letter of Richardson to Mrs. McParland, which will be found in its proper place in this report, created the greatest excitement among the spectators, and when it was offered in ence and Mr. Geary began to read it in a loud, clear tone of voice there was a sort of involuntary rush of the crowd in that part of the court room general anxiety to hear its contents, and for a lew moments there was such a bustle and confusion in the audience that Mr. Ceary had to wait some time before quiet could be restored. During the reading of the letter there was a stillnes of death in the court room, and nothing could be as he emphasized every word of the extraordinary epistie. He did not read it hurriedly, but slowly and deliberately, and as he went over sentence after sentence of the letter he would ever and anon ston for a short time and look steadily at the jury, as if to study the effect on them of what he was reading.

THE EFFECT OF THE LETTER. To say that the jury looked dumpfounded would not give the faintest idea of the expression of utter astonishment -not to use a stronger term -which the countenance of every one of them wore when the reading had come to a close. They are all married men and they doubtless imagined what they would have done had they been placed in McFarland's position. The sensation the letter produced on the audience was positively tremendous and ptterly indescribable. Indeed, but for the watchfulness of the officers, their feelings would have broken forth in no unmistakable way, and it is safe to say that if the jury partook of the same feelings in regard to the matter as the mass of the auditors pre sent, they certainly felt that, after all, the opening of the counsel for the defence was not mere buncomb unsupported by hideous facts, which had better, for certain people, have never seen the light of day.

M'FARLAND WEPT

during the reading of the letter, although it was evident that he exerted his utmost to repress his feelings. It doubtless carried him back to the happy days of his early married life, so touchingly por trayed by Mr. Spencer in his opening address; to those days, when, surrounded by the wife he idolized and the little ones he loved so dearly, he felt the mos in his hands when was read that part of the letter revealing the fact that "long years" before he had ever dreamt of the blow that was to fall upon him there was an undercurrent even then that was destined to carry away from him those he loved above all else on earth. Although little Percy not quite understanding why his father was so cast down, endeavored to attract his attention by taking hold of his hand, and tugging at it in a childish sort of way, he paid no attention to him and sat immovable as a statue, with his head buried in his hands all the while.

"THAT PARADISE OF DIVORCES." the State of Indiana, came in for its share of dissection during the opening of the counsel, and the scathing way he alfuded to the marriage ceremons at the Astor House seemed to tickle the spectators immensely, and several times the officers of the court interrupted an outburst of applause which seemed ready at every moment to be on the point of making itself loudly heard.

"THE WOMAN CALHOUN." "the panderer, the procuress from the start," as she was styled by the deleace, was also severely handled. The large number of letters submitted to the court, which were identified by Mr. Cummings as in her handwriting, and which she wrote pending the trouble between Mr. McFarland and his wife, give promise of developments which the defence contend will open the eyes of the community to what a disgusting nest of "free lovers" they will still up before closing the case.

HORACE GREELEY'S HANDWRITING entified by Mr. Elisha Sinclair in a letter which the counsel intend to offer in evidence. When the question was put as to whether or not the witness could swear to Horace's writing, there was a general laugh in the court, showing conclusively that Hor-

ace's singular hieroglyphics are well known to the general public as peculiar objects of curiosity which "once seen can never be forgotten."

"ENGAGED TO BE MARRIED." The revelation of the plot which the defence claim was concocted by Mrs. McFarland and a certain was concected by Mrs. McFarland and a certain other woman in order to get apartments for the former in the same house with Richardson, created a most decided sensation. In Richardson's letter to Mrs. McFarland he isughingly calls her and one "Mollie"—a friend of the woman who claimed that she was engaged to be married to him—"first class intriguers," and this, given out by way of confirma-tion of what the defence asserted in their opening but added to the excitement which the first an-nouncement of the "plot" had created.

an expression used by Mr. Spencer in his address in alinding to Richardson's feigned rejuctance to hire a room, with a bed in it, where his lady friends might call to see him, caused considerable merri ment in the court, and a few loud guffaws escaped some of the spectators, notwithstanding their whole some fear of being arraigned for contempt.

will be in attendance on Monday next, when she will be placed upon the stand as a witness. It is said that the most strenuous efforts have been made in certain quarters to deter the defence from insisting upon her appearance, and they have for the most part been made on the ridiculous ground that the scene will be altogether too trying for both McFar-land and her, without in the end doing good to the prisoner's cause. But defence know better than anybody tions and the determination already expressed by them during the trial, they will not be moved from the course they have laid down for themselves by any sentimental considerations whatever. It is court room when his mother is placed on the stand, more out of consideration for his feelings than anya great deal of unnecessary pain might be saved the little boy by doing so.

THE MARRIAGE CELEBRANTS,
Beecher and Frothingham, will, it is given out, be
subpœnaed, and, if they are, the scene that will ensue when they are put under the fire of the cross examination of the defence will certainly be a rich one, if all the rumors that are flying about concerning certain ugly developments to be made by their examination have any foundation in truth. Mr. Frothingham's prayer-"Father, we thank Thee for what these two nave been to one another"may be so parsed and analyzed when the reverend utterer of it will have got within the clutches of the counsel that he who runs may read that all's not religion that deals in prayer, nor all honest convic tion that endorses acts of illicit love.

THE LINE OF DEFENCE which the prisoner's counsel have adopted is that of temporary aberration of mind on the parts of the accused when he shot Richardson insanity in the loss of his wife and children, and all through the machination of the man he killed. The counsel contend that they will prove this effectually, and in doing so will reveal a "prearranged conspiracy" or the part of persons calling themselves respectable who "futhered and mothered" it and boasted of havconvert to "free lovis:n" of the most gamnable

When the Recorder took his seat the court room was crowded to its utmost capacity, every foot of o'clock Mr. Spencer rose to open the case for the defence. He spoke in a loud, clear tone of voice, and at once fixed the undivided attention of his audience. He spoke as follows:-

and at once fixed the undivided attention of his audience. He spoke as follows:—

MR. Spencer, rising, amid profound silence, sald:—
May it please the Court and sentlemen of the jury, I rise to open this case on the part of the defendant—
to me a friend of many years as well as a client to day. I rise with the most solemn and profound and painful consciousness of the important and responsibile duty I am to perform. But I undertake this solemn duty with an unfailering and steadings confidence that when this detence shall have ended this desendant will be by you vindicated and acquitted. I earnestly pray that I shall be able clearly and well to infill my office. I stand here under the solemn oath of a member of the bar, with a warm, personal, fervent affection for this defendant, in the presence not only of this court, this jury and this audience, but in that of the civilized world, to recite to you a story of humble birth, of strugging youth of a man overtaken and wrecked by the unnoly, reckless passion of a bad, bold libertine—of a sensitive mind by wrongs accumulated—of a wife-senducer—a child robber—on the the wing of a bullet sent into elegative by the hand of the husband and the father wronged. In a moment one of the great waves of a sea of trouble bore away my client's reason, and I respectfully and earnestly ask you, gentlemen of the jury—I appeal to you, gentlemen, citizens, hasbands, lathers, brothers—so as that, with patient attention, you listen to me and hear me to the end, with a deep, solemn appreciation of your own honors. so as that, with patient stemion, you listen to me and hear me to the end, with a deep, solemn appreciation of your own position, of the sacredness and happeness of your own honors and of the tremendous responsibility of your action in this important case—important to the decendant and to the community. And I pray that the Divine Creator, who holds us all in the hollow of His hand, may guide you to the end aright. You have listened in this case to the opening of the learned District Attorney. You have listened to the testimony that has been adduced on the part of this prosecution, and I feel it my duty at the beginning to make so few allusions to this gentleman who sworthly or ably occupies the position of District Attorney. He has called to his aid a distinguished gentleman at one time within a very few votes—but two or three votes—ob being the choice of the Legislature of this State for the Senate of the United States. Coansel then alluded in complimentary terms to ex-Judge Davis, but submitted to the jury that the prosecution had no right to introduce into the case the assistance of private counsel. Mr. Spencer continued:—The District Attorney in his opening made an appeal to you in reference to the discharge of your day, and he spoke of your dying hour, which the all-wise Providence has decreed sooner or facer shall come to us all, and ne told you, gentlemen, to oeware lest in that dying hour, you tailed to co your duty to the people. Gentlemen, that dying hour shall come, and I answer that remark of the District Attorney by saying. Beware lest in that dying hour you will be obliged to reflect that without sufficent evidence you have sent into eternity one of your fellow citizens for having in a moment of irrestable impulse, uncontrolled by reason, been urged to send into eternity a man that had transgressed that commandment of that God to whom has issued that mandate, "Thou shalt not commit adulter,"

The Evidence For the Prosecution, Gentlemen of the prosecution in this case is not volument on the first p

inat dying hour you will have to look—that God who has issued that mandate, "Thou shalt not commit adultery."

The evidence for the prosecution.

Gentiemen of the jury, the evidence on the part of the prosecution in this case is not voluminous, nor is it complex. This deience was astonished that this prosecution should have ended so soon. The first thing that I wish to call your attention to is that no witness that has been placed upon the stand has pretended that he heard Mr. McFarland, at the time of this homicide, say a word when he was in the office. More than that, no witness observed the complexion or expression of his countenance or of his eye. It might have been of considerable assistance to us in the solution of the questions which I shall presently present to you to have known something with reference to the expression of his eye. There is another thing which has somewhat surprised the counsel for the defence. Gentlemen of the jury, wandering into the counting room of the Tribiane, and for some moments previous to this homicide this man was engaged in scribbling incoherently upon a piece of paper. And it that paper could be produced it would afford strong evidence of the unsound condition of his mind at that time. But in some mysterious way that paper has disappeared, and, gentlemen of the jury, we shall probably be obliged to try this case without the knowledge of its contents. But this prosecution, during its procress, did present to you a piece of testimony that on a former occasion Mr. McFarland, having gone into the Tribune, to the door of Sinchar's private office. Mr. Richardson was there, and he turned away. He watted till be came out, and, mark me, as Richardson came out he cast mis eye, the wilness said, over his shoulder towards Mr. And this man breaster, in the pain he gives. Oh, he side plance of that detasted eye; That conscious smile; that full, manufag fip! It touches every nerve; it makes me mad!

Gentlemen of the jury, we also learned from this prosecution before it ended, satisfactor

tends at the dutast state what it is. At the time Richardson was pistolled by baniel Mcraman Daniel Mcramand was not responsible for his action, whether in the eye of God or under the laws of man. The constitution of the mind is diment and complex. It is a problem that by man has never pech fully solved. That we shall be able to sustain the propositions I have enumerated 1 do not bermit myself for a moment to doubt, "What I

have done I will justify." Gentiemen of the jury, we can only, after a careful examination of the entire ancestors of the person sapposed to be insane, come to a satisfactory conclusion. Triffes apparently, at first taken separately, may not be conductive to that result, but when gathered together from the history of many years have demonstrated the unsoundness of the mind at given times. In this case it will be necessary and proper to inquire even about the ancestors of the defendant, of his niving relatives and of his entire history and characteristics, as well as the circumstances immediately attendant upon and surrounding the homicide for which the defendant is upon trial, in order to arrive at a satisfactory conclusion as to this great question of the case which I have stated. Everything, however remote, that by any possibility can bear upon this question, we have a right to prove, whatever and whenever it occurs, and we have, gentlemen of the jury, ample precedents of this. I do not propose now to refer to very many of them. I remember the great case of Huntingdon, in which the late celebrated James of Huntingdon, in which the late celebrated James of Mr. Huntington was drawn out in testimony that gathered weight. I remember the celebrated case of Coie, who shot down a man named Hiscock on the assemblage of the Constitutional Convention in the year 1867. Hiscock had seduced the wife of Cole. The defence was that at the time of the homicide he was not responsible for his action, and on that occasion also the whole history of Mr. Hiscock was permitted to be proven. And the jury in that case did what I believe the jury in this case will do—they acquitted Mr. Cole. And, gentlemen, hay acquitted him properly. A man may be, as was stated in that the whole history of Mr. Hiscock was permitted to be proven. And the jury in that case did what I believe the jury in this case will do—they acquitted Mr. Cole. And, gentlemen, hay soquitted him properly. A man may be, as was stated in that the whole history of this def

ne went and he stuned hard—so hard, indeed, that the professor of consisty in bartinouth was so pleased that me the professor of the health of the best that he with the term th

rians, Mormons, Spiritualists and free lovers—with those with whom every Jack has his Gill.

"LOOK UPON THIS PICTURE AND ON THIS," Gentiemen, compare that picture with this:—

No man can tell, but he that loves his children, how many delicious accents make a man's heart dance in the pretty conversation of those dear piedges. Their children, how many delicious accents make a man's heart dance in the pretty conversation of those dear piedges. Their children, heir stammering, their little angers, their innocence, their imperfections, their occessities, are so many little emanations of joy and comfort to him that delights in their persons and society; but he that loves not his wife and children feeds a lioness at home and broods a nest of sorrows, and bleasing itself cannot make him happy. So that all the commandments of God enjoining a man to love his wife are nothing but so many necessities and capacities for joy. "She that is loved is safe, and he that loves is joyful."

MRS. CALHOUN COMES ON THE SCENE.

While Mrs. McFariand was at the White Mountains a new character appears on the scene. I refer to a woman then commonly known by the name of Mrs. Calhoun, a picture, a conspirator, a panderess, a procuress from beginning to end. This woman began to write to Mrs. McFariand to plant in her breast the seeds which she hoped would ripen into altenation from her husband, and when Mrs. McFariand came back from that trip she came back a dissatisfied woman.

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dissatisfied woman.

THE SCENE CHANGES.

Gentlemen of the jury, from this point the curtain
rises, and the scene changes. I have given you the
history of McFarland in his happy home; but I must
now exhibit to you that desecrated and ruthlessly
invaded home. The whole thing is like one of those
domestic dramas where the actors and actresses
are all happy in the first and second acts, but after
which sorrow and ruin come in, and the curtain
falls upon a desolated home. Mrs. McFarland
dreams for tame and pants for unrestrained induigence. Richardson comes on the scene. She is
now too elegant and too refined—too intellectual and
too beautiful and too popular for her humble life. The
demon that places before her all these temptations,
for which she is to pay the price of her soul, is
Albert D. Richardson; that points and leads her on.
And yet with a careful, with rare dissimulation,
she conceals all. And at this time the detendant
finds a change in her manner and appreciates the
change.

Woman's ingratitude.

she conceas all. And at this time the deficiality should be considered and appreciates the change.

WOMAN'S INGRATITUDE.

The Sunday before she went away her nephew happened to be at the house visiting them. McFarland on that day appeared to be very muca troubled, and he spoke to the nephew about woman's ingrattable to poor men; and he advised his nephew never to get married this was a morbal state of mind to get mino and advised the nephew when he got married to marry a woman like her.

THE ELOPEMENT.

On the morning of the 20th of this month—February, 1867—Daniel McFarland arose as usual, little dreaming of what the day was to bring forth, and when he went away that morning his wife threw her arms around him kindly and said, "Darling, goodby." He returned that afternoon to find his field in the state of the home desolate. The wife of that home had absconded and had gone to be a washington place, taxing with her the remaining boy, Percy.

The washington place, taxing with her the remaining boy, Percy.

The wife of that home had absconded and had gone to be a way into concesiment in Massachusents before the sun set that night. McFarland makes inquiry and finds where she is, but makes fruitiese efforts to arrange the dimedity, and fladly, all his efforts having proved in vain, removes from

who would write that letter ought to be shot, and held up to the scorn of an enlightened mankind. The writer of that letter lavishes upon her terms of endearment; talks about her as his darling; dreams about her in the night time; when he wakes he thinks about her and longs to clasp her in his arms. Such a letter would drive every man upon that jury mad, or if it did not drive him mad it ought to, if he has a heart at all. He says also in this letter that he did't care what Mrs. Grundy says, not he. He "has been weary waiting, longing for his darling all these long years." This letter was discovered on the 11th of March, 1867, the wife having absconded from her home on the 27th of February, 1867. It is the best trait that I have that I love my wife, and I believe her to be as pure as an angel that ministers by the throne. If ever I discovered a letter like that I would shoot the man dead who wrote it the moment I met him, mad or not mad. (Loud applause, that could not be suppressed for a minute of two.) He tells her that it wou't be long before they are together again. The letter is proof positive that an adulterous intercourse had existed for a long time.

After this letter had osen intercepted Richardson returns to No. 72 Amity street. He has not been there long before Mrs. McFarland follows, and she wishes to board there again, in order that they may be together. In order that this might appear a more chaste and reasonable desire she tells Mrs. Mason, who is the boarding house keeper, that the lany who accompanies Mrs. McFarland is engaged to be married to Mr. Richardson; under the guise of that he she succeeds in getting back to this house, where the amours of the couple are resumed.

No. 8 washington Place.

the guise of that he she succeeds in getting back to this house, where the amours of the couple are resumed.

No, 3 Washington Place.

Soon after this Richardson leaves 72 Amity street and goes back to No, 3 Washington place, to the house of Sinciair. As certain as night follows day does this woman follow Richardson. This defende will show that these two lived there for weeks together in this house, occupying rooms that had only a door between, and that frequently open.

So openly and unblushingly was this done that a servant saw Mrs. McFarland, as he went into the room, on the bed with Richardson kissing and fonding him. By this time McFarland, as he went into the room, on the bed with Richardson kissing and fonding him. By this time McFarland had learned a good deal of what had taken place. He returned to 72 Amity street and opened Mrs. McFarland's trunk, in which were letters from that woman Cathoun and Mrs. Sinciair, and showing their participation in the accomplishment of this wrong. Mr. Spencer then at considerable length described the means used by McFarland to obtain his children and to the legal proceedings he took to obtain damages from Richardson for the seduction of Mrs. McFarland, who hoped by that means to obtain sufficient damages to get funds for prosecuting the needful legal proceedings to recover the children. While all this was going on Mrs. McFarland and Richardson were enjoying themselves in parties and excursions, this man Richardson forgetting the inspired line that the "wages of sin is death." About this time a gentieman who will go on this stand met Richardson and asked him ast othis unfortunate business, and Richardson answered.

She is an intelligent woman, and I mean to marry her as soon as she can be divorced from her husband. At this point Mr. Spencer described to the jury, at some length, how some kind of a divorce had besn surreptitiously obtained in that "paradise of aduiterers and free lovers" in a remote part of the country.

The close of the tragedy that this woman who was co

the close of the tragedy.

It was a fitting close to this fearful tragedy that this woman, who was covered by the flimsy and ragget veil of a fraudulent and illegal divorce, should be blasphemously and adulterously married to the drugged and almost unconscious destroyer of her husband's happiness and reason and of her own honor.

be no more—
"THOU SHALT NOT COMMIT ADULTERY."
Cowper tells us, in his "Task"— He that negotiates between God and man, As God's ambassador, the grand concern Of judgment and of mercy, should beware Of lightness in his speech.

THE PEROBATION.

I have thus, gentlemen of the jury, presented to you the facts and the theories upon which this defence, with perfect confidence, relies for an acquittal in this important case. When the testimony shall be concluded you will be addressed on the part of this defendant by the eminent and eloquent senior counsel, with whom I have the honor to be associated—an honor which I appreciate and of which I am proud. And then, after an address by the able District Attorney and the charge of the learned Recorder. You will consider your verdict, gen-THE PEROBATION. District Attorney and the charge of the learned Recorder, you will consider your verdict, gentlemen. Virtuous women and honorable men, the world over, wherever civilization enlightens and blesses, to-day earnestly hope and believe that your verdict will be for this defendant. In this, the hour of Daniel MoFariand's trial, stand by him. As you love and honor your wives at home, stand by him. As with a parent's affection and faithful care you rear your dear daughters and guard them against all that is evil, stand by him. As you value the safety of your beloved sisters, stand by him. As you reverence the gray hairs of your good old mothers hving or the sainted ones gone to their rest—still on earth praying for you, or in that heaven where adulterers cannot enter, praying for you, stand by him. By the hallowed ground of a peaceful happy, virtuous home: by all that is sacred, puire, beautiful. not enter, praying for you, stand by him. By the hallowed ground of a peaceful happy, virtuous home; by all that is sacred, buile, beautiful, precious, holy in this life of probation, stand by him; so shall you build around each nome where honor and purity dwell a wall impregnable to the assaults of bold oad men; so shall you protect yourselves from the libertine who destroys homes dishonored—who kills not only the body but the soul. Let your verdict tell to the peoples of the world that here in our city, upon the felou footsteps of those who prostitute to their unholy lust our dear wives, sisters, mothers, shall surely follow with unfaitering step, stern resolve, implacable Nemesis.

At the close of the address the Court took a recess.

The first witness called was James McFarland, sworn and examined, who tes-thed as follows:— Q. Mr. McFarland, where do you reside? A. Jer-City, N. J. What is your business? A. Machinist by trade.

Q. Is Daniel McFarland, the prisoner at the our, your bromer? A. Yes, sir.
Q. What is his age? A. He is about fity years of age, or thereabouts; he is about two and a half years younger than me.
Q. Where was he born? A. In Ireland,
Q. When did he come to this country? A. In

Q. Did his parents accompany him here? A. Yes, Q. Are they now living? A. They are dead.
Q. When did his mother die? A. She died Sep-

ember, 1828. Q. When did his father die? A. May, 1832. Q. What was his father's occupation? A

Q. When did his father die? A. May, 1832.
Q. What was his father's occupation? A. Milliwright.
Q. When did his father come to this country. A. In 1823.
Q. Where did he first locate? A. New York.
Q. How long did he remain in New York at that time? A. Weit, I cannot just say how long; he removed to Brooklyn a short time afterwards and stopped there awhile.
Q. And then did he subsequently move to New Jersey? A. Yes. str.
Q. And tocated after at Paterson? A. I think he moved to New Jersey in 1826 or 1827 or thereabouts.
Q. Was he living at Paterson at the time of his death? A. Yes.
Q. What was Daniel's first occupation that you now remember—was he apprenticed to any and what trade and when? A. Tle. first occupation or trade was the talioring business, in 1834, in the city of New York; he afterwards went South, to the city of Charleston; he returned in 1841; but in the meantime he came back and went as apprentice to a prother of mine in 1836; I have a brother named Owen who fived in the city of Newark; he now resides in Thirty-fourth street; the defendant was at work with him as a harness maker; I remember Daniel going South in 1841 and returning a year afterwards and resuming work; I have heard of him giving lectures in Newark on elocution; when he left Newark the last time, in 1843, he went to Boston; in 1848 he entered Bartmouth College, and afterwards in 1850 he went to Europe and returned in 1851; he went to England, Ireland and France to pursue scientific studies; remember the year he was married; I knew the woman he married.

The Photographs of Mas. M'PARLAND (were here produced in court and the witness recognized them; I was living in Jersey City at the time of the marriage; they came to my house on a visit, but they remained only a short time.

The Court—When were they married?
Counsel—In 1857; We have evidence to prove.
Examisation Resourds.

was obtained by ringing a bell; we mainly retired to between ten and eleven; if Mr. McFariand left at night we would not know of it unless we neard it actidentally; there was no society in the house for him; after he had been there some time I noticed something irregular in the hours of his coming in; previously, however, he had been very regular; usually he came after his son Fercy returned from school; sometimes he came home about six o'clock, and would then go out: one evening a gentleman came to see him and remained until twelve o'clock; it was the last week he was in the house—about a week before the time of this occurrence; I remember of his going out one moraing about two o'clock; it was a bright moonlight night; I heard him open his door; an hour must have elapsed before his return; I remember him coming home on Thanksgiving Day; I recollect it because of my brother going to a matinée with Percy on that day; besides the catch on the door there was also a key on the inside, and any one desiring to go out could do so; there were no boits, but the door was always locked at night: I remember Mr. McFarland paying a week in advance; that was the week before the occurrence.

By the District Attorney—Q. Did you see this man opening the door on the morning you speak off A. I heard Mr. McFarland open the door.

Q. You did not see him; how did you know it was Mr. McFarland? A. Yes, sir; and I heard him returning.
Q. That was the only way you knew it was Mr. McFarland? A. Yes, sir; and I heard him returning.
Q. That the only way you have of identifying him? A. Yes, sir.

Cross-examined—The way I know it was Mr. McFarland that went in and came back was by his step; he was gone about an hour; it was about two

Cross-examined—The way I know it was Mr.
McFariand that went in and came back was by his
stop; he was gone about an hour; it was about two
o'clock in the morning; I was in bed at the time;
there was a light in my room; I only judge that it
was two o'clock; he paid the board always in advance; when he paid the board the last time in advance, on the 24th of November, the day before the
shooting, he sent to my mother by Percy.

TESTIMONY OF ANNA H. BURNS.

Anna H. Burns, examined—I reside in Boston;
came on nere to be a witness; am stopping in
Twenty-seventh street and Fourth avenue; knew
Damel McFarland or more than twenty years; (here
photograph of Mrs. McFarland shown and identified); was present at the marriage ceremony of
McFarland at Theodore Parker's church in Boston;
he is dead now; that picture represents the lady to
whom McFarland was married; (certificate of marriage took place December 14, 1857; the marriage took place December 14, 1857; I recognize the
handwriting of the certificate of Theodore Parker.

The counsel then read the certificate as follows:—

The M'FARLAND MARRIAGE CERTIFICATE.

BOSTON, Dec. 14, 1857.

This certifies that Daniel McFarland, of Madison, Wia, and
Miss Abbie M. Sage, of Manchester, N. H., were this day
joined in marriage before me at this place.

EXAMINATION RESCHED.

EXAMINATION RESCRIED.

I last saw Abole M. Sage, who became wife of Danlel McFarland, on the 1st of the present month at
Woodside, N. J.; she went there by the name of Mrs.
Richardson; she was living with Mr. Richardson's
children and one of her own; I do not know Mrs.
McFarlant's lather; his occupation is that of a small
dealer in periodicals at 506 Washington, near Dover
street, Boston; he kept store there last March a year

thow he keeps the store by repute only.

Counsel—We will show how this man's wife's family, not withstanding his kindness to them, have turned against him.

Associate Counsel—The prisoner supported them

The inquiry was objected to by the District Attorner.

The Court—What do you propose to show?

Counsel—To show hereditary insanity in the family. I submit that the Assistant District Attorney is not to object captiously to everything advanced by us. The case must be tried by the best models in English trials, and not by the captious objections of a private counsel who goes begging to make up a case.

The Court—It will be proper to connect this Francis McFarland with the defendant if they were brothers or first cousins.

Counsel—This Francis McFarland was the first cousin of the defendant, and we desire to snow that the total to the close connectant of hereditary insanity from the close connectant of the close connectant of the defendant in the close connectant of hereditary insanity from the close connectant of the close connecta

cousin of the defendant, and we desire to snow the taint of hereditary insanity from the close connection between this Francis McFarland and the defendant.

Witness—The record does not show how long McFarland remained in the asylum; he was there

for insanity.

The cross-examination was unimportant.

The cross-examination was unapportant.

Thomas P. Norris testified—Physician for sixteen years; knew Francis McFariand referred to in the records of the Lunanc Asylum; knew him a year pefore his death, in 1887; he lived with his wife and daughter in Main street, Brooklyn; his daughter is a Mrs. Oliver; saw her a week ago; McFariand, at the time of his death, was about forty-six years of age.

age.
The portrait of Daniel McFarland shown to witness. Never saw McFarland till Monday last.
Is there any resemblance in that likeness with that of Mr. Francis McFarland?
Objected to.
Counsel—We desire to establish an identity between Francis McFarland, who was insane, and the defendant.
The Court—Will not Mrs. Oliver prove that better?
Counsel—We expect to have her here, but we want to connect the evidence of each witness who can

to connect the evidence of each witness who can speak to the aberration of Franciss McFarland, the irst cousin of the defendant.

Judge Davis—What has this to do with the case? There is nothing but a waste of time in pursuing this line of examination.

Counsel—These objections must be stopped. There is no waste of time but that which follows these

captions interruptions.

Q. What was the state of Francis McFarland's mind for a year before his death?

Ex-Judge Davis objected to an attempt to prove insanity by collateral evidence.

The Court admitted the question.

A. He exhibited at times an irritability of temper

mind for a year before his death?

Ex-Judge Davis objected to an attempt to prove insanity by collateral evidence.

The Court admitted the question.

A. He exhibited at times an irritability of temper and considerable inconversation quite noticeable by those who visited his family; my impression at the time was that at times he was wandering in his mind—in other words, he seemed to be disordered in his mind; he exhibited a desire to exclude persons from visiting his family; and seemed to be platons of any attention paid on any member of his family; he apprehended those who called to see his family, came from some interested motive, hence he was jealous of all those persons who visited his family; he apprehended those who called to see his family, came from some interested motive, hence he was jealous of all those persons who visited his family; hard was my impression of his disposition at that time; he was also quite morose and at times would break out in an idiotic laufth, and during conversation at times would wake up and grunt on "What" "Eh?" without remembering anything of what had transpired.

Cross-examined—Q. Did this continue up to the time of his death? A. It did.

Q. In reference to his memory what have you to say on that subject? A. It cannot call to mind any particulars about that; he did not exhibit any capacity for business for several months before his death; nis conversation was incoherent, more especially so towards his death; I knew he had been in the Lunatic Asylum on Blackwell's Island and saw him; he was the father of Mrs. Mary A. Oliver, the lady who lives in Philadelphia; he finally wound up with a perfect loss of mind; so much were habits; it am were young a historical story.

Cross-examined by ex-Judge Davis—I am a physician, but I was not at the time I have retered to; I am now forty-one years of age, and have spoken of the recollections of my boyhood; I have to some extent given the symptoms of softening of the brain; he was not examined—I reside in New Jersen, and the factor of which

The Court—When were they married?

Gounsel—In 1857. We have evidence to prove.

EXAMINATION RESUMED.

Daniel was increased in lands is Wisconsin.

Ex_judge Davis objected.

Witness—He went West from my house; I saw him alterwards in company with his wife in 1859; they had a little gir: named Jessie, the result of the marriage; there are two little children of the marriage. Daniel, now in court, and Percy; I next remember seeing my brother in 1860; I did not see much of him afterwards until 1867, when, in July or Angust, I noticed a change in his appearance: he was the careworn; his hair had changed color, (A photograph was here shown to the witness, which he recognized as that of his brother.)

Q. At what time previous to July or August was this photograph his your brother? A. I think about 1860; lost track of him after 1860; lost tra

ing ceased my connection with it on the 1st of Aprior of that year; Daniel McPariand called frequently a the Tribune office; he used to walk to Samuel Suclair's office; if he were engaged he would retire; he would not ask anybody to announce him, and would go to look for my brother himself; he was on terms of familiarity with him prior to May, 1869, he used to go to the Tribunoffice two or three times a week; I never saw hit there offener than once a day; I don't know the

office two or three times a week; I never saw him there oftener than once a day; I don't know that McFariand was on intimate terms with anybody in the office except my brother.

Q. How long did you know Albert D. Richardson?

A. About four years.

Q. Didwou know him to carry a pistol? A. No, sir; I never saw one with him.

Q. Do you know the first person that touched him after he went to the editorial room of the Tribume after the alleged shooting? A. No, sir; I was not in town then.

Q. Have you had any conversation with any person as to who took Richardson's pistol? A. No, sir.

Q. Have you seen Richardson and McFarland in the Tribume office at the same time? A. Yes, sir.

Q. When was that? A. In 1869; in the fall prior to 1869; I saw them two or three times.

Q. How were they situated with reference to each other? A. Mr. Richardson was talking with my brother; Mr. McFarland came in, and seeing Richardson talking to him be turned away and waited: Richardson went out; they saw each other in May; when Richardson passed out there were only five or sax feet between them; Mr. McFarland was talking to me at the time.

Q. Ween before May, 1869, did you see them meet there together? A. I don't remember the month.

Q. On that occasion how long were they on the premises together? I don't remember.

To ex-Judge Davis-Mr. Richardson came frequently to the office.

Re-direct—Did you read that letter? (The witness had been reading the letter previously hunded to him.) A. Yes, sir.

Q. Did you ever read it before to-day? A. Mr. McFarland read it to me.

Q. You recognize that to be what he read you a copy of? A. Yes, sir. a great portion of it.

Q. How won have you known Mr. McFarland? A. Two or three years.

Q. Did you ever head it to five to-day? A. Mr. Werland the same that Mr. McFarland showed you? A. I tunk i would, sir.

TESTIMONY OF EDWARD WATSON.

Edward Watson, examined—I reside in Brooklyn and am empisyed in the Tribume of the side of the same that me the tribume of the same that me of the same that me of the tribu

TESTIMONY OF EDWARD WATSON.

Edward Watson, examined—I reside in Brooklyn and am employed in the Tribune office and have been for twenty years; don't know Mrs. Cathoun's nandwriting; she is a correspondent of the Tribune; Mr. Reid or Mr. Cummings I should think could tell her handwriting.

nandwriting: she is a correspondent of the Tribune:
Mr. Reid or Mr. Cummings I should think could tell her handwriting.

TESTIMONY OF JOHN O'BRIEN.

John O'Brien testified—I reside at Westmoreland Hotel; am clerk there; I have seen Mr. McFarland Hotel; am clerk there; I have seen Mr. McFarland before to-day; I have been employed there a year and a hall; I was on duty there the evening of the 25th of November; I saw him about eight or haifpast eight P. M.: he came in and wanted a room; he wated about an hour for a gentleman and wented about an hour for a gentleman and written with him to his room; about ten minutes later two persons came in and inquired if there were any arrivals; I pointed out McFarland's name and they went up and took him away; Mr. McFarland looked very nervous; he stared at me very vacantly; so much so as to excite my suspicions; his eyes was very wild; he would pick up a paper; throw it down; go out, and pick it up again; I watened him very closely after that; his conduct struck me as irrational; I intended to stay up all night myself and waten his room; Mr. Greeley was stopping there that night; Mr. McFarland entered his name on the register; I have the register here (register produced and shown the Jury) I filled in New York; I assigned him the room No. 31; the writing baniel McFarland as identically as it was; Counsel for delence—There seems t be a strange formation about the "nd," indicating tremulousness; is that as it was;

A. Yes sir; there was one small boy saw them.

To Mr. Garvin—This up stroke is a check to show he had paid in advance.

To the Recorder—I did not ask him; he paid it

nimself.

To Judge Davis—He was waiting for a gentleman:
I heard afterwards it was his brother; a Mr. Cutter
was there; he spoke to Mr. Robeson, the proprietor
of the hotel.

TESTIMONY OF AMOS J. CUMMINGS.

Amos J. Cummings examined—I reside at 114
Varick street; am one of the editors of the Sun;
was in the employ of the Tribune; left it in fail of
1868, in November; was there before that since 1859;
I know the handwriting of Mrs. Calhour; she was a
correspondent and wrote reports of balls and Inshi1018. Calloun to the best of my judgment. (Another letter letter shown.) This is in the same handwriting. (A third letter shown.) This is in the same
handwriting.
Counsel—They are all one letter, these various

writing. (a tind letter sacwal,) this is in the same handwriting.
Counsel—They are all one letter, these various sheets.
Here other letters shown, which the witness identified as in Mrs. Calhoun's handwriting.
To counsel—I know Mr. Richardson's handwriting (here the letter identified by Elisha Sinciair identified as the handwriting of Richardson).
This letter was then read and put in evidence:—

This letter was then read and put in evidence:—
THE SENSATION LETTER—RICHARDSON TO MRS
M*PARLAND.

I received two hours ago, darling, yours of yesterday. A
noon I mailed you the Atlantic for March to No. 7s. This
send in care of Mr. S., boping that you may get it formore.

Don't be disturbed about your family, little girl. Families
always respect accomplished facts. (My hobby, you know.)
I once outraged mine a great deal worse than you ever can
yours, and tusy are the straffest sect of Puritians; but time
made it all correct.
So you couldn't go to Mrs. M. is ill Monday and section.

yours, and time are the stratest sect of Puritains; but time made it all correct.
So you couldn't go to Mrs. M.'s till Monday and couldn't have my room. Be patient, little girl, and you shall have to give, not take, orders about my room.
Finny about Lidlie and the young lady I am engaged to I it only confirms my theory that you and Mollie are first class intiguers. Will order you scrap book on Monday.
Lidarn all you can about the material contents of the new book within the next four weeks—for we may want to anounce it in my book. Please remember that it outh to have plenty of humor, and that it must have some horrors.
If you recoil from them you shall not do them.
Darling, I smiled at my being pining and hurt. Why, f am like a man who has got rid of his elephant; I weigh 288, and am lighter-hearted than I have been for years; indeed, I feit.

and was very lender and loving, and I have nothing in the world to complain of. If you had not come to me, liftle grit it would have made no difference there. That scene was ended long ago.

It will rather startle Mrs. S., won't it, darling: I think she will like it in the end. Kose's letter is very graceful and kind, and I am very gind you go, for it will do you much good. It is a great, breezy, restful place. What a koosie it is about my coming home. Of course I shall come whenever my husinoss compels or will let me. What judgment shall shall my come of the effect of the shall come whenever you feer, doing no wrong? The effectualists and unnoticeable, and I will not stay away for 40,000 Mrs. and unnoticeable, and I will not stay away for 40,000 Mrs. and to most been waiting for you, darling, all those long years, to wear halreloth and serve seven years. I want you aways. A hundred times a day my arms seem to stretch out toward you. I never seek my pillow without wanting to fold you to my heart, for a good might kiss and blessing, and the few months before you can openly be mine will be long onough at best. No grass shall grow under my feet, but I never let public opinion buily me abut, and never mean to. So, sumbsam, I shall come whenever I can, and stay as long as business will nermit. I will decide about the summer just as soon as I can, darling; can probably surmise by Monday or Tuesday. Darling, I should be free trees which grow in an hour have no deep root. Ours I tylieve to be follows of a hoonday hour, but for all time. Only one love ever grew so closely into my heart as yours has, and that was so tender and bleasted that Heaven needed and took it. My darling, you are all I would have you; exactly what I would have you; in mind, body and satate; and my tired heart finds in you inlinite rest and riches and aweetness. Good might, my love, my own, my wife.

Burn this, will you not? [The letter is postmarked "Hartford, Conn., March 9," and addressed "Mrs. McFarland, care Samuel Sinclair, Tribune office, New York city." On the back is the monogram "A. D. R."]

back is the monogram "A. D. R."]

Q. Is that line, "burn this, won't you?" which you will see is in pencil, in the same handwriting as the body of the letter? A. I think it is.

Deep sensation was created in court by the reading of the letter.

This closed the case for the day and the court adjourned till Monday at cleven A. M., the jury receiving the usual caution not to converse in relation to the trial.

UNITED STATES COMMISSIONERS' COURT.

The Mutiny on the Ship Frank and Nellie. Before Commissioner Shields.

August McIntyre and John Crowley, two scames

on the ship Frank and Nellie, who are charged with having mutinied on the 1st of March on the vessel, streems, arrived in the charge, the streem of the commissioner Shields to answer the charge. They were committed to the County sait to appear for examination to day, James Robinson, another seaman of the Frank and Nellie, has been under examination for the same

The Howard Match Stamp Case.

This examination was closed yesterday. Mr. Edwin Blahkman, counsel for the accused, presented several legal reasons, for the purpose of showing why Howard should not be held. He said the only material evidence which had been produced by the prosecution was that given by John Rippon, who, according to his own admission was a counterfeiter, and therefore not to be believed. He said it was preposterous to think that a heavy metal plate like the one offered by the government could have been placed in the middle of a bay, seven miles in with, and could have subsequently washed ashore, as was claimed by the District Attorney. The churge against Howard had been made by Rippon for the purpose of saving himself. He had engraved the plate for his own blackmaning purposes, and, on being discovered, had faisely sworn that he was engaged to make it by the defendant. He believed the defence had proven the very best of characters for Mr. Howard, and the Commissioner had no power except to discharge the latter if he entertained the least doubt in his favor. Judge Huntington subsequently reviewed the testimony, and then argued that there was the most abundant proof of the prisoner's innocence. Assistant District Attorney Purdy made an eloquent and able reply, after which the Commissioner said ha would render his decision on Monday. be believed. He said it was preposterous to think